

Panaji, 25th April, 2002 (Vaisakha 5, 1924)

SERIES II No. 4

# OFFICIAL GAZETTE



## GOVERNMENT OF GOA

### GOVERNMENT OF GOA

Department of Education, Art &amp; Culture

Directorate of Art &amp; Culture

#### Order

No. DAC/1/RGKM/PONDA/2002/65

In exercise of the powers conferred by clause 5, 6 and 7(1) of the Constitution of Rajiv Gandhi Kala Mandir, Ponda the Government is pleased to appoint Shri Ravi S. Naik, Khadpaband Ponda-Goa, as Chairman, Shri Sanjeev Dessai, Khadpaband, Ponda-Goa as Vice-Chairman and Shri M. V. Naik, Director of Art & Culture, as Member Secretary of Rajiv Gandhi Kala Mandir, Ponda with immediate effect.

By order and in the name of the Governor of Goa.

*M. V. Naik*, Director of Art & Culture & Ex-Officio Joint Secretary.

Panaji, 11th April, 2002.

#### Order

No. DAC/1/RGKM/PONDA/2002/67

In exercise of the powers conferred by clause 9(IV) of the Constitution of Rajiv Gandhi Kala Mandir, Ponda the Government is pleased to nominate the following members on the General Council of the Rajiv Gandhi Kala Mandir with immediate effect.

1. Shri Somanath Naik,  
Varcandem, Ponda-Goa.
2. Shri Shridhar Bambolkar,  
Bandora, Ponda-Goa.
3. Shri B. K. Khandeparkar,  
Khadpaband, Ponda-Goa.

4. Shri Anthony Ferrao,  
Sadar, Ponda-Goa.

5. Shri Raja Khedekar,  
Varcandem, Ponda-Goa.

6. Shri Mahendra Khandeparkar,  
Khandepar, Ponda-Goa.

7. Shri Chandrakant Parkar,  
Ponda-Goa.

8. Shri Damodar C. Naik,  
Ponda-Goa.

9. Shri Raghuvir Dessai,  
Ponda-Goa.

By order and in the name of the Governor of Goa.

*M. V. Naik*, Director of Art & Culture & Ex-Officio Joint Secretary.

Panaji, 11th April, 2002.

### Department of Labour

#### Order

No. CL/Pub-Awards/2001/2075

The following Award dated 20-4-2001 in reference No. IT/25/98 given by the Industrial Tribunal, Panaji-Goa, is hereby published as required under the provisions of Section 17 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947).

By order and in the name of the Governor of Goa.

*R. S. Mardolker*, Commissioner, Labour and Ex-Officio Joint Secretary.

Panaji, 14th May, 2001.

## IN THE INDUSTRIAL TRIBUNAL

## GOVERNMENT OF GOA

## AT PANAJI

(Before Shri Ajit J. Agni, Hon'ble Presiding Officer)

Ref. No. IT/25/98

Shri L. Potekar,  
Badem, Salvador do Mundo,  
Post Betim,  
Bardez-Goa.

... Workman/Party I

V/s

M/s Goa Shipyard Ltd.,  
Vadem,  
Vasco-da-Gama, Goa.

... Employer/Party II

Workman - in person.

Employer/Party II-represented by Adv. Shri M. S.  
Bandodkar.

Panaji, dated.: 20-4-2001.

## AWARD

In exercise of the powers conferred by clause (d) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947 (Central Act 14 of 1947) the Government of Goa by order dated 6th April, 1998 bearing No. IRM/CON/VSC/(2)/1997/8222 referred the following dispute for adjudication by this Tribunal.

"Whether the action of the management of M/s Goa Shipyard Ltd., Vaddem, Vasco-da-Gama, Goa, in terminating the services of Shri L. Potekar, with effect from 11-10-1995, is legal and justified?

If not, to what relief the workman is entitled ?"

2. On receipt of the reference a case was registered under No. IT/25/98 and registered A/D notice was issued to the parties. In pursuance to the said notice the parties put in their appearance. The Workman/Party I (for short, "Workman") filed his statement of claim at Exb. 4. The facts of the case in brief as pleaded by the workman are that he was employed with the Employer/Party II (for short, "Employer"). That he was transferred unlawfully in violation of standing orders in November 1992 from the Purchase Department to the Apprentice School of the employer. That a charge sheet was issued to him alleging certain acts of misconduct against him and an enquiry was conducted against him into the said charge sheet. That the enquiry was not conducted in a proper manner. The workman contended that false allegations were made against him in the charge sheet. The workman contended that termination of his service by the employer w.e.f. 11-10-95 is illegal and unjustified.

3. The employer filed written statement at Exb. 5. The employer stated that the workman was employed as

L.D.C. from 17-11-75 and he was transferred from Commercial Department to Apprentice Training Centre vide order dated 29-10-92 and he was asked to report to the Officer Incharge of Apprentice Training School on 2-11-92. Since the workman refused to accept the said order he was issued a charge sheet dated 6-11-92 and in the enquiry conducted against him he was found guilty of the charges levelled against him and therefore a warning letter dated 3-3-93 was issued to him. The employer stated that by letter dated 11-11-92 he was again asked to report for work in the Apprentice School and the workman was found to be sitting idle in the said school without doing any work and or reporting to Officers Incharge of the Apprentice Training School. Therefore another charge sheet dated 18-3-93 was issued to the workman and an enquiry was conducted wherein he was found guilty of the charges levelled against him. On receipt of the findings of the Inquiry Officer by way of punishment the annual increment of the workman was stopped with cumulative effect vide letter dated 20-4-94. The employer stated that inspite of the instructions the workman continued not to do any work and remained idle refusing to do his normal duties and also started keeping his chappals on the open shelf below the table top allotted to him thereby creating an ugly scene. He was issued a charge sheet dated 23-7-94 and subsequently an enquiry was held against him and inspite of the opportunity given the workman remained absent and did not participate in the enquiry and hence the enquiry was conducted ex-parte against him. The employer stated that on completing the enquiry the Inquiry Officer submitted his findings holding the workman guilty of the charges levelled against him and on receipt of the said findings a show cause notice dated 14-8-95 was issued to the workman to show cause as to why he should not be dismissed from service. The employer stated that the workman submitted his written explanation dated 17-9-95 and the competent authority on going through the said written explanation and on considering the past record of the workman decided to dismiss the workman from service and accordingly he was dismissed from service vide letter dated 9-10-95 w.e.f. 11-10-95. The employer stated that the enquiry conducted against the workman is fair and proper and the findings of the Inquiry Officer are based on the evidence on record. The employer stated that the order of dismissal from service issued to the workman is legal and justified and this Tribunal should not interfere with the decision taken by the employer. The workman thereafter filed rejoinder at exb. 6.

4. On the pleadings of the parties, following issues were framed at Exb. 7:

1. Whether the Workman/Party I proves that the domestic enquiry held against him is not fair and proper?
2. Whether the charges of misconduct levelled against the Workman/Party I are proved to the satisfaction of the Tribunal by acceptable evidence?

3. Whether the Workman/Party I proves that the action of the Employer/Party II in terminating his services w.e.f. 11-10-95 is illegal and unjustified ?
4. Whether the Workman/Party I is entitled to any relief ?
5. What Award ?

5. The issue nos. 1 and 2 were treated as preliminary issues as the said issues pertained to the fairness of the domestic enquiry conducted against the workman and the findings of the Inquiry Officer. This Tribunal by findings dated 6-4-2000 disposed of the said preliminary issue nos. 1 and 2 holding that the domestic enquiry held against the workman is fair and proper and further held that the workman is guilty of the charges of misconduct levelled against him in the charge sheet dated 23-7-94 which are misconduct under clause 29(I), 29(XII), 29(XXVIII) and 29(XLI) of the Certified Standing Orders of the employer. Thus the issue nos. 1 and 2 stood disposed off. Thereafter the case was fixed for the evidence of the parties on remaining issues namely issue nos. 3 and 4. The issue No. 3 pertained to the legality and justifiability of termination order and the issue No. 4 pertains to the relief to which the workman was entitled to. The workman remained absent from the time his evidence on preliminary issues was closed, and since he continued to remain absent on the date when the case was fixed for his evidence on the above issues, his evidence was closed and subsequently the evidence of the employer was recorded.

6. My findings on the remaining issues are as follows:

Issue No. 3: In the negative.

Issue No. 4: In the negative.

Issue No. 5: As per order below.

#### REASONS

7. Issue No. 3: The reference was made by the Government as the workman raised the dispute that the action of the employer of terminating his services w.e.f. 11-10-95 is illegal and unjustified. Since it is the workman who raised the dispute about termination of his service, the burden was on him to prove that the termination is illegal and unjustified. After the findings on preliminary issues were given as mentioned above the workman was given opportunity to lead evidence to prove that termination of his service is illegal and unjustified. However, the workman remained absent and hence his evidence had to be closed. Consequently only the evidence from the employer is on record. By my findings dated 6-4-2000, the charges which are held to be proved against the workman are that he refused to carryout the duties assigned to him; he was idling away his time; and he used to keep his chappals on the open shelf below his table top thereby creating an ugly scene inspite of the specific instructions from the office-in charge not to do so. I have held that the above said acts committed by the

workman are misconducts under clause 29(I), 29(XII), 29(XXVIII) and 29(XLI) of the Certified Standing Orders of the employer. The said clauses read as follows:

- |                           |  |
|---------------------------|--|
| <u>Clause 29(I):</u>      | Willful insubordination and disobedience of the lawful and reasonable order of the superior.         |
| <u>Clause 29(XII):</u>    | Commission of acts subversive of discipline and good behaviour on the premises of the establishment. |
| <u>Clause 29(XXVIII):</u> | Idling and wasting time during working hours.  |
| <u>Clause 29(XLI):</u>    | Pursuance of any conduct against the interest of the company.  |

Thus it can be seen that the misconducts which are held to be proved against the workman are of serious and grave nature.

8. The employer has examined one witness by name Shri Raghvendra Deshpande in support of their contention that termination of service of the workman is legal justified. He has stated that prior to dismissal of the workman, a show cause notice was issued to him, and he has produced the said show cause notice dated 14-8-95 at Exb. E-2. He has also produced the dismissal order dated 9-10-95 at Exb. E-3. He has stated that the workman was issued a caution letter 22-2-91 and he produced the said letter at Exb. E-4 colly. He has also produced a letter dated 11-11-92 (Exb. E-5) issued to the workman informing him that he was not reporting to the apprentice school as required and also a warning letter dated 3-3-93 (Exb. E-6) issued to the workman. He has stated that the workman was earlier issued a charge sheet in respect of which an enquiry was held and on receipt of the report from the Inquiry Officer and the explanation from the workman to the show cause notice an order dated 20-4-94 was passed against the opponent stopping his annual increment with cumulative effect. He has produced the said order at Exb. E-7. He has stated that the workman was dismissed from service after considering the findings of the Inquiry Officer and his past record. The evidence of the witness Shri Raghvendra Deshpande has gone unchallenged as the workman had remained absent. The evidence shows that prior to dismissing the workman from service, he was issued caution letter bringing to his notice that he had reported late for duty on 11 occasions in the month of January 1991. The letter dated 11-11-92 Exb. E-5 shows that the workman had failed to report to the Apprentice school from 2-11-92 inspite of the order dated 20-10-92. The warning letter dated 3-3-93 Exb. E-6 shows that the warning was given to the workman in pursuance to the issuing of charge sheet dated 6th November, 1992 to him and he was asked to desist from committing acts of misconduct. The order dated 20th April 1994 Exb. 7 shows that earlier the workman was charged for similar misconduct and the Inquiry Officer had found him guilty of the said charges. The employer however, instead of

dismissing him from service had imposed the punishment of stopping his annual increment with cumulative effect as and by way of punishment. The workman was warned that in case he repeated such or similar misconducts the same would be viewed seriously including dispensing with his services. All the above documentary evidence produced by the employer sufficiently proves that the past service record of the workman was not good.

9. Adv. Shri M. S. Bandodkar, representing the employer submitted that a solitary act of indiscipline is enough to impose extreme punishment on the workman and it is not necessary that there should be a series of act of indiscipline. He relied upon the judgement of the Supreme Court in the case of Sarabhai M. Chemicals (S. M. Chemicals and Electronics) Limited v/s M. S. Ajmere and others reported in 1980 I LLJ 295 in support of his this submission. I have gone through the said judgment. In that case the Supreme Court has held that any person who is disobedient becomes insubordinate and his conduct amounts to insubordination and therefore where a workman disobeys a lawful order he can be said to be guilty of insubordination and it needs hardly to be stated that a misconduct of disobedience and insubordination would also amount to indiscipline. The Supreme Court has further held that it cannot be said that disciplinary proceedings can never be taken against an employee on a charge of insubordination arising out of a solitary instance of lawful order and that for sustaining such charge of insubordination several repeated instances of disobedience are necessary. In the present case it was proved that the workman had refused to carryout the duties assigned to him by his superior and he was idling away his time. It was also proved that the workman was refusing to carry out the specific instructions given by the office-in-charge. The above acts on the part of the workman amounts to insubordination and indiscipline which no employer would ever tolerate. In the present case the incidents of misconduct for which the workman was charged are not the solitary incidents but similar incidents had occurred earlier for which warning letters, charge sheets were issued to him and also he was punished. Therefore considering the nature, seriousness and gravity of the misconducts involved in the present case as well as the past conduct/records of the workman, I am of the view that the punishment of terminating the services imposed on the workman is legal and justified. I, therefore hold that the workman has failed to prove that the action of the employer of terminating his services with effect from 11-10-95 is illegal and unjustified. Hence, I answer the issue No. 3 in the negative.

10. Issue No. 4: Since it has been held by me that the termination of the services of the workman by the employer is legal and justified, the workman is not entitled to any relief. I, therefore hold that the workman is not entitled to any relief and answer the issue No. 4 in the negative.

In the circumstances, I pass the following order.

#### ORDER

It is hereby held that the action of the management of M/s Goa Shipyard Ltd., Vaddem, Vasco-Goa, in terminating the services of the workman Shri L. Potekar, with effect from 11-10-1995, is legal and justified. It is hereby further held that the workman Shri L. Potekar is not entitled to any relief.

No order as to cost. Inform the Government accordingly.

Sd/-  
(AJIT J. AGNI)  
Presiding Officer  
Industrial Tribunal.

#### Department of Mines

Directorate of Industries & Mines

#### Order

No. 96/314/88-Mines/2168

(In the matter of renewal of Mining Lease of the Applicants M/s. S. Kantilal & Co. Pvt. Ltd. by application dated 21-11-1988)

M/s S. Kantilal & Co. Pvt. Ltd. of Margao Goa were holders of erstwhile mining concession named "Mothadvona Concramolli" for iron and manganese ore granted under title of concession No. 16 dated 23-12-49 over an area of 85.20 Ha of land situated in Sancorda village of Sanguem taluka. Consequent upon the enactment of the Goa, Daman and Diu Mining Concessions (Abolition and Declaration as Mining Leases) Act, 1987 the above mining concession stood abolished and declared as Mining Lease under Mines and Minerals (Development and Regulation) Act, 1957 and the rules made thereunder.

On 21-11-88 M/s. S. Kantilal & Co. Pvt. Ltd. of Margao Goa (hereinafter referred to as the applicants) applied for renewal of mining lease for a further period. By a notice bearing No. 96/314/88-Mines/395 dated 14-2-89 under Rule 26(3) of Mineral Concession Rules 1960, the applicants were called upon to furnish the approved mining plan. As there was failure on the part of the applicants, to submit the approved mining plan within the stipulated period, the application for renewal of the above mining lease was rejected by the Government by an order bearing No. 5/17/89-ILD dated 25-4-1990. Being aggrieved by the order of rejection, the applicants filed a revision application before the Central Government and by a common order No. 18/93 dated 17-6-93, the Central Government set aside the order of rejection with a direction to the State Government to dispose of the renewal application on merits and in accordance of law.

The applicants by a notice No. 96/314/88-Mines/7530 dated 16-10-98 were called upon to furnish the following documents :—

1. Valid clearance certificate in terms of Rule 22(3) (d) of Mineral Concession Rules 1960.
2. Statement of consent towards surface rights in terms of Rule 22(3) (h) of Mineral Concession Rules 1960.
3. Copy of plan of existing deemed mining lease.
4. Copy of Cadastral survey plan super imposed on deemed lease.
5. Article of Memorandum.

As none of the above documents were submitted, a notice bearing No. 96/314/88-Mines/2984 dated 28-2-01 was issued to the applicants fixing the date for personal hearing on 19-3-01 which notice was duly received by the applicants on 7-3-01. The applicants however by their letter dated 19-3-2001 requested for 6 months time to attend the personal hearing. The matter was however adjourned to 26-4-01. Subsequently, at the request of the applicants, the matter was adjourned to 21-5-01, 25-6-01, 17-7-01, 31-7-01 and finally on 6-8-01. The applicants failed to effect the payment of outstanding dues and submit the valid clearance certificate. I am therefore left with no other alternative but to decide the case on merits.

I have gone through the records of the case. It is seen that the application for renewal of mining lease was submitted in the year 1988 namely about 13 years back without proper documents as required under Rule 22 of Mineral Concession Rules, 1960. The application for renewal of mining lease was rejected earlier by the Government vide Order dated 25-4-90 which was set aside by the Central Government on 17-6-93 in the revision application filed by the applicant with a direction to the State Government to dispose of the renewal application on merits and in accordance to law. Subsequent to the passing of the order by the Revisional Authority around 8 years have passed and regrettably the valid clearance certificate which is required under rule 22 of Mineral Concession Rules, 1960 has still not been submitted. A statutory notice as required under rule 26(3) of Mineral Concession Rules 1960 was issued to the applicants on 16-10-98 and despite this notice the applicants did not bother to take any effective steps to submit the same. Finally, a notice for personal hearing was issued on 28-2-01 which was received by the applicants.

However, till date the applicants have failed to clear all the mining dues and produce the valid clearance certificate. It is also seen from available record that the mining lease is not in operation for the last 23 years. In the circumstances mentioned above, it is abundantly clear that sufficient opportunities were given to the applicants to submit the documents as required under rule 22 of Mineral Concession Rules, 1960. Since the

applicants failed to produce the same as on date, I have no alternative but to reject the application.

Now, therefore, I, Shri J. B. Singh, Director of Industries and Mines in exercise of powers conferred upon me under sub rule (1) of rule 26 of Mineral Concession Rules 1960 in pursuance of Notification No. 5/80/89-Mines dt. 22-12-00 hereby reject the application of M/s S. Kantilal & Co. Pvt. Ltd. for renewal of mining lease.

J. B. Singh, Director of Industries and Mines.

Panaji, 26th February, 2002.

#### Order

No. 96/339/88-Mines/2170

(In the matter of renewal of Mining Lease of the Applicants M/s. S. Kantilal & Co. Pvt. Ltd. by application dated 21-11-1988)

M/s S. Kantilal & Co. Pvt. Ltd. of Margao Goa were holders of erstwhile mining concession named "Kalle Dongurli" for iron and manganese ore granted under Title of Concession No. 50 dated 14-10-57 over an area of 97.28 Ha of land situated in Bati village of Sanguem taluka. Consequent upon the enactment of the Goa, Daman and Diu Mining Concessions (Abolition and Declaration as Mining Leases) Act, 1987 the above mining concession stood abolished and declared as Mining Lease under Mines and Minerals (Development and Regulation) Act, 1957 and the rules made thereunder.

On 21-11-88 M/s. S. Kantilal & Co. Pvt. Ltd. of Margao Goa (hereinafter referred to as the applicants) applied for renewal of mining lease for a further period. By a notice bearing No. 96/339/88-Mines/376 dated 14-1-89 under Rule 26(3) of Mineral Concession Rules 1960, the applicants were called upon to furnish the approved mining plan. As there was failure on the part of the applicants, to submit the approved mining plan within the stipulated period, the application for renewal of the above mining lease was rejected by the Government by an order bearing No. 5/17/89-ILD dated 25-4-1990. Being aggrieved by the order of rejection, the applicants filed a revision application before the Central Government and by a common order No. 18/93 dated 17-6-93, the Central Government set aside the order of rejection with a direction to the State Government to dispose of the renewal application on merits and in accordance of law.

The applicants by a notice No. 96/339/88-Mines/7277 dated 22-10-98 were called upon to furnish the following documents :—

1. Valid clearance certificate in terms of Rule 22(3) (d) of Mineral Concession Rules 1960.
2. Statement of consent towards surface rights in terms of Rule 22(3) (h) of Mineral Concession Rules, 1960.

3. Copy of plan of existing deemed mining lease.
4. Copy of Cadastral survey plan superimposed on deemed lease.
5. Article of Memorandum.

As none of the above documents were submitted, a notice bearing No. 96/339/88-Mines/2970 dated 2-3-01 was issued to the applicants fixing the date for personal hearing on 19-3-01 which notice was duly received by the applicants on 7-3-01. The applicants however by their letter dated 19-3-2001 requested for 6 months time to attend the personal hearing. The matter was adjourned to 26-4-01. Subsequently, at the request of the applicants, the matter was adjourned to 21-5-01, 25-6-01, 17-7-01, 31-7-01 and finally on 6-8-01. The applicants failed to effect the payment of the outstanding dues and submit the valid clearance certificate. I am therefore left with no other alternative but to decide the case on merits.

I have gone through the records of the case. It is seen that the application for renewal of mining lease was submitted in the year 1988 namely about 13 years back without proper documents as required under Rule 22 of Mineral Concession Rules, 1960. The application for renewal of mining lease was rejected earlier by the Government vide Order dated 25-4-90 which was set aside by the Central Government on 17-6-93 in the revision application filed by the applicants with a direction to the State Government to dispose of the renewal application on merits and in accordance to law. Subsequent to the passing of the order by the Revisional Authority around 8 years have passed and regrettably the valid clearance certificate which is required under rule 22 of Mineral Concession Rules, 1960 has still not been submitted. A statutory notice as required under rule 26(3) of Mineral Concession Rules, 1960 was issued to the applicants on 22-10-98 and despite this notice the applicants did not bother to take any effective steps to submit the same. Finally, a notice for personal hearing was issued on 2-3-01 which was received by the applicants.

However, till date the applicants have failed to clear all the mining dues and produce the valid clearance certificate. It is also seen from available records, that the mining lease is not in operation for the last 25 years for which a Show Cause Notice bearing No. 96/339/88-Mines/2777 dated 7-2-01 was issued to which there has been no response. In the circumstances mentioned above, it is abundantly clear that sufficient opportunities were given to the applicants to submit the documents as required under rule 22 of Mineral Concession Rules, 1960. Since the applicants failed to produce the same as on date, I have no alternative but to reject the application.

Now, therefore, I, Shri J. B. Singh, Director of Industries and Mines in exercise of powers conferred upon me under sub rule (1) of rule 26 of Mineral Concession Rules

1960 in pursuance of Notification No. 5/80/89-Mines dt. 22-12-00 hereby reject the application of M/s S. Kantilal & Co. Pvt. Ltd. for renewal of mining lease.

J. B. Singh, Director of Industries and Mines.

Panaji, 26th February, 2002.

### Order

No. 96/330/88-Mines/2175

(In the matter of renewal of Mining Lease of the Applicants M/s. S. Kantilal & Co. Pvt. Ltd. by application dated 21-11-1988)

M/s S. Kantilal & Co. Pvt. Ltd. of Margao Goa were holders of erstwhile mining concession named "Udolcem e Madiavaigona" for iron and manganese ore granted under Title of Concession No. 28 dated 16-7-55 over an area of 97.2830 Ha of land situated in Sancorda village of Sanguem taluka. Consequent upon the enactment of the Goa, Daman and Diu Mining Concessions (Abolition and Declaration as Mining Leases) Act, 1987 the above mining concession stood abolished and declared as Mining Lease under Mines and Minerals (Development and Regulation) Act, 1957 and the rules made thereunder.

On 21-11-88 M/s. S. Kantilal & Co. Pvt. Ltd. of Margao Goa (hereinafter referred to as the applicants) applied for renewal of mining lease for a further period. By a notice bearing No. 96/330/88-Mines/394 dated 14-2-89 under Rule 26(3) of Mineral Concession Rules 1960, the applicants were called upon to furnish the approved mining plan. As there was failure on the part of the applicants, to submit the approved mining plan within the stipulated period, the application for renewal of the above mining lease was rejected by the Government by an order bearing No. 5/17/89-ILD dated 25-4-1990. Being aggrieved by the order of rejection, the applicants filed a revision application before the Central Government and by a common order No. 18/93 dated 17-6-93, the Central Government set aside the order of rejection with a direction to the State Government to dispose of the renewal application on merits and in accordance of law.

The applicants by a notice No. 96/330/88-Mines/7528 dated 16-10-98 were called upon to furnish the following documents :—

1. Valid clearance certificate in terms of Rule 22(3) (d) of Mineral Concession Rules 1960.
2. Statement of consent towards surface rights in terms of Rule 22(3) (h) of Mineral Concession Rules, 1960.
3. Copy of plan of existing deemed mining lease.
4. Record of Rights in Form I and XIV of survey Nos. 24, 25, 27 and 64.

5. Copy of Cadastral survey plan superimposed on deemed lease.
6. Article of Memorandum.

As none of the above documents were submitted, a notice bearing No. 96/330/88-Mines/2941 dated 28-2-01 was issued to the applicants fixing the date for personal hearing on 19-3-01 which notice was duly received by the applicants on 7-3-01. The applicants however by their letter dated 19-3-2001 requested for 6 months time to attend the personal hearing. The matter was however adjourned to 26-4-01. Subsequently, at the request of the applicants, the matter was adjourned to 21-5-01, 25-6-01, 17-7-01, 31-7-01 and finally on 6-8-01. The applicants even on date failed to submit the valid clearance certificate. I am therefore left with no other alternative but to decide the case on merits.

I have gone through the records of the case. It is seen that the application for renewal of mining lease was submitted in the year 1988 namely about 13 years back without proper documents as required under Rule 22 of Mineral Concession Rules, 1960. The application for renewal of mining lease was rejected earlier by the Government vide Order dated 25-4-90 which was set aside by the Central Government on 17-6-93 in the revision application filed by the applicant with a direction to the State Government to dispose of the renewal application on merits and in accordance to law. Subsequent to the passing of the order by the Revisional Authority around 8 years have passed and regrettably the valid clearance certificate which is required under rule 22 of Mineral Concession Rules, 1960 has still not been submitted. A statutory notice as required under rule 26(3) of Mineral Concession Rules, 1960 was issued to the applicants on 16-10-98 and despite this notice the applicants did not bother to take any effective steps to submit the same. Finally, a notice for personal hearing was issued on 28-2-01 which was received by the applicants.

However, till date the applicants have failed to clear all the mining dues and produce the valid clearance certificate. It is also seen from available records, that the mining lease is not in operation for the last 17 years for which a Show Cause Notice bearing No. 96/330/88-Mines/2790 dated 9-2-01 was issued to which there has been no response. In the circumstances mentioned above, it is abundantly clear that sufficient opportunities were given to the applicants to submit the documents as required under rule 22 of Mineral Concession Rules, 1960. Since the applicants failed to produce the same as on date, I have no alternative but to reject the application.

Now, therefore, I, Shri J. B. Singh, Director of Industries and Mines in exercise of powers conferred upon me under sub rule (1) of rule 26 of Mineral Concession Rules 1960 in pursuance of Notification No. 5/80/89 Mines dt. 22-12-00 hereby reject the application of

M/s S. Kantilal & Co. Pvt. Ltd. for renewal of mining lease.

J. B. Singh, Director of Industries and Mines.

Panaji, 26th February, 2002.

#### Order

No. 96/322/88-Mines/2176

(In the matter of renewal of Mining Lease of the Applicants M/s. S. Kantilal & Co. Pvt. Ltd. by application dated 21-11-1988)

M/s S. Kantilal & Co. Pvt. Ltd. of Margao Goa were holders of erstwhile mining concession named "Khairad Toleavoli" for iron and manganese ore granted under Title of Concession No. 18 dated 29-2-52 over an area of 46.8900 Ha of land situated in Viliena/Bati village of Sanguem taluka. Consequent upon the enactment of the Goa, Daman and Diu Mining Concessions (Abolition and Declaration as Mining Leases) Act, 1987 the above mining concession stood abolished and declared as Mining Lease under Mines and Minerals (Development and Regulation) Act, 1957 and the rules made thereunder.

On 21-11-88 M/s. S. Kantilal & Co. Pvt. Ltd. of Margao Goa (hereinafter referred to as the applicants) applied for renewal of mining lease for a further period. By a notice bearing No. 96/322/88-Mines/368 dated 14-1-89 under Rule 26(3) of Mineral Concession Rules 1960, the applicants were called upon to furnish the approved mining plan. As there was failure on the part of the applicants, to submit the approved mining plan within the stipulated period, the application for renewal of the above mining lease was rejected by the Government by an order bearing No. 5/17/89-ILD dated 25-4-1990. Being aggrieved by the order of rejection, the applicants filed a revision application before the Central Government and by a common order No. 18/93 dated 17-6-93, the Central Government set aside the order of rejection with a direction to the State Government to dispose of the renewal application on merits and in accordance of law.

The applicants by a notice No. 96/322/88-Mines/6695 dated 25-9-98 were called upon to furnish the following documents :—

1. Valid clearance certificate in terms of Rule 22(3) (d) of Mineral Concession Rules 1960.
2. Statement of consent towards surface rights in terms of Rule 22(3) (h) of Mineral Concession Rules, 1960.
3. Copy of plan of existing deemed mining lease.
4. Record of Rights in Form I and XIV of survey Nos. 24, 25, 27 and 64.
5. Copy of Cadastral survey plan superimposed on deemed lease.



As none of the above documents were submitted, a notice bearing No. 96/322/88-Mines/2971 dated 2-3-01 was issued to the applicants fixing the date for personal hearing on 20-3-01 which notice was duly received by the applicants on 7-3-01. The applicants however by their letter dated 10-3-2001 requested for a 6 months time to attend the personal hearing. The matter was however adjourned to 27-4-01. Subsequently, at the request of the applicants, the matter was adjourned to 25-5-01, 3-7-01, 17-7-01, 31-7-01 and finally on 6-8-01. The applicants even on date failed to submit the valid clearance certificate. I am therefore left with no other alternative but to decide the case on merits.

I have gone through the records of the case. It is seen that the application for renewal of mining lease was submitted in the year 1988 namely about 13 years back without proper documents as required under Rule 22 of Mineral Concession Rules, 1960. The application for renewal of mining lease was rejected earlier by the Government vide Order dated 25-4-90 which was set aside by the Central Government on 17-6-93 in the revision application filed by the applicant with a direction to the State Government to dispose of the renewal application on merits and in accordance to law. Subsequent to the passing of the order by the Revisional Authority around 8 years have passed and regrettably the valid clearance certificate which is required under rule 22 of Mineral Concession Rules, 1960 has still not been submitted. A statutory notice as required under rule 26(3) of Mineral Concession Rules, 1960 was issued to the applicants on 25-9-98 and despite this notice the applicants did not bother to take any effective steps to submit the same. Finally, a notice for personal hearing was issued on 2-3-01 which was received by the applicants.

However, till date the applicants have failed to clear all the mining dues and produce the valid clearance certificate. It is also seen from available records, that the mining lease is not in operation for the last 40 years for which a Show Cause Notice bearing No. 96/322/88-Mines/2793 dated 9-2-01 was issued to which there has been no response. In the circumstances mentioned above, it is abundantly clear that sufficient opportunities were given to the applicants to submit the documents as required under rule 22 of Mineral Concession Rules, 1960. Since the applicants failed to produce the same as on date, I have no alternative but to reject the application.

Now, therefore, I, Shri J. B. Singh, Director of Industries and Mines in exercise of powers conferred upon me under sub rule (1) of rule 26 of Mineral Concession Rules 1960 in pursuance of Notification No. 5/80/89-Mines dt. 22-12-00 hereby reject the application of M/s S. Kantilal & Co. Pvt. Ltd. for renewal of mining lease.

*J. B. Singh, Director of Industries and Mines.*

Panaji, 26th February, 2002.

## Department of Revenue

### Notification

No. 22/9/2002-RD

Whereas it appears to the Government of Goa (hereinafter referred to as "the Government") that the land specified in the Schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. for construction of MDR road from St. Sebastian Chapel to Deussua in a length of 1195 mts. V. P. Chinchinim-Deussua.

Now, therefore, the Government hereby notifies, under sub-section (1) of section 4 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as the "said Act") that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contract for the disposal of the said land by sale, lease, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed under paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under section 6 of the said Act will be published in the Official Gazette and in two daily newspapers and public notice thereof shall be given in due course. If the acquisition is abandoned wholly or in part, the fact will also be notified in the same manner.

4. The Government further appoints, under clause (c) of section 3 of the said the Act, the Deputy Collector & S.D.O., Quepem to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government also authorises under sub-section (2) of section 4 of the said Act, the following Officers to do the Acts, specified therein in respect of the said land.

1. The Collector, South Goa District, Margao.
2. The Deputy Collector & S.D.O., Quepem.
3. The Executive Engineer, Div. VI (R&S) P.W.D., Fatorda, Margao.
4. The Director of Settlement & Land Records, Panaji-Goa.

6. A rough plan of the said land is available for inspection in the Office of the Deputy Collector & S.D.O., Quepem for a period of 30 days from the date of publication of this notification in the Official Gazette.



## SCHEDULE

(Description of the said land)

Taluka: Salcete

Village: Chinchinim

Survey No./ Sub Div. No.	Names of the persons believed to be interested	Approx. area in sq. mts.	1	2	3
1	2	3			
431/1	O: P.W.D.	75.00	311/50	O: 1. Rajendra D. Loyala Furtado. 2. Minguél D. L. Furtado. 3. Guido L. Furtado.	425.00
432/2	O: Club of Dandeawaddo.	75.00	311/42	O: Comunidade of Chinchinim.	50.00
431/3	O: Maria J. M. Gomes.	475.00	311/30	O: 1. Rajendra D. Loyala Furtado. 2. Minguél D. L. Furtado. 3. Guido L. Furtado.	225.00
431/6	O: 1. Rajendra D. Loyala Furtado. 2. Minguél D. L. Furtado. 3. Guido D. L. Furtado.	150.00	308/5	O: Comunidade of Chinchinim. T: Alfredo Viegas.	850
431/4	O: Atmasio Rodrigues.	1200.00	308/6	O: Comunidade of Chinchinim. T: Oscar V. Lopes.	750
432/2	O: Comunidade of Chinchinim.	25.00	308/7	O: Comunidade of Chinchinim. T: Alzel L. Lopes.	750
432/3	O: 1. Rajendra D. Loyala Furtado. 2. Minguél D. L. Furtado. 3. Guido L. Furtado.	400.00	307/2	O: Comunidade of Chinchinim. T: 1. Oscar V. Lopes. 2. Alzira L. Lopes. 3. Succorro N. Lopes.	750
432/11	O: Jose X. A. Verdes.	200.00	307/3	O: Comunidade of Chinchinim. T: Rosario S. Fernandes.	650
432/13	O: Damaciana Alemão.	100.00	307/4	O: Comunidade of Chinchinim. T: Victorio M. Gracias.	450
432/10	O: Pedro C. D'Mello.	100.00	307/5	O: Comunidade of Chinchinim. T: Elizabeth Furtado.	200
436/1	O: Micky Loyala Furtado.	1075.00	307/6	O: Comunidade of Chinchinim. T: Maria N. A. Ferrao.	25
436/6	O: Antonio J. D'Sa.	25.00	307/1	O: Comunidade of Chinchinim. T: Not known.	300
436/7	O: Ricardina D'Sa. O: Margarita D'Sa.	25.00	309/2	O: Comunidade of Chinchinim. T: Rosario Fernandes.	100
436/8	O: Agnelo Pires.	150.00	309/3	O: Comunidade of Chinchinim. T: Victoria M. Gracias.	300
436/3	O: Fabrica de Igreja de Chinchinim.	250.00	309/4	O: Comunidade of Chinchinim. T: Elizabeth Furtado.	500
304/14	O: 1. Ramkant R. Lotliker. 2. Vasant R. Lotliker. 3. Prakash R. Lotliker. 4. Sharad C. A. Lotliker.	100.00	309/5	O: Comunidade of Chinchinim. T: Ignatius Furtado.	400
304/19	O: Joao Viegas.	400.00	309/6	O: Comunidade of Chinchinim. T: Elizabeth Furtado.	400
304/17	O: 1. Antonio A. Viegas. 2. Ghosalvino Viegas. 3. Marian A. Mascarenhas. 4. Fatima J. L. Barreto Mascarenhas.	50.00	309/7	O: Comunidade of Chinchinim. T: Angelina Pinto.	350
299/3	O: Not Known.	200.00	309/8	O: Comunidade of Chinchinim. T: Lilia Alemão.	700
299/1	O: Not Known.	100.00	309/9	O: Comunidade of Chinchinim. T: Vincente M. D'Sa.	400
305/7	O: Micky L. Furtado.	25.00	309/10	O: Comunidade of Chinchinim. T: Enclositica Barretto.	400
305/3	O: 1. Braz A. E. D. R. Fernandes. 2. Amiano M. E. R. Fernandes. 3. Mario R. Fernandes. 4. Raymond L. Fernandes. 5. Joanita Fernandes.	50.00	309/11	O: Comunidade of Chinchinim. T: Elavia L. Lacerda.	350
305/4	O: Maria R. Fernandes Vaz.	75.00	309/12	O: Comunidade of Chinchinim. T: Clara P. Rodrigues.	300
305/1	O: 1. Braz A. E. D. R. Fernandes. 2. Amiano M. E. R. Fernandes. 3. Tulshidas Naik.	750.00	309/13	O: Comunidade of Chinchinim. T: Petrelina Ferrao.	300
310/12	O: Not Known.	50.00	309/14	O: Comunidade of Chinchinim. T: Bibon Viegas. Ana Severina Mendes.	500
310/10	O: Damaciano Alemão.	100.00	309/15	O: Comunidade of Chinchinim. T: Ramchandra Naik.	600
310/8	O: Pedro C. D'Mello.	75.00	311/40	O: Comunidade of Chinchinim. T: Sebastiao Menzes.	500
310/6	O: Jose X. A. Verdes.	200.00			

1	2	3	1	2	3
311/39	O: Comunidade of Chinchinim. T: Haworina Dias.	100	Taluka: Salcete Village: Deussua		
311/32	O: Comunidade of Chinchinim. T: Nariana D'Sa.	2500	15/1	O: Fabrica de Igreja de Chinchinim.	100.00
311/33	O: Atmacio Rodrigues.	200	15/2	O: 1. Predioda Copeldo. 2. Santo Antonio.	50.00
311/29	O: Comunidade of Chinchinim. T: Jose X. A. Vergos.	500	15/4	O: Mary Pereira.	200.00
311/28	O: Comunidade of Chinchinim. T: Jose X. A. Verdos.	500	15/6	O: 1. Mary Pereira. 2. Jeronimo Viegas.	50.00
311/27	O: Comunidade of Chinchinim. T: Josefina Rodrigues.	500	15/7	O: Jeronimo.	50.00
311/25	O: Comunidade of Chinchinim. T: Fermina Dias.	400	15/8	O: 1. Lourdes S. Dias e Pereira. 2. Joseph V. Dias e Pereira.	150.00
311/13	O: Comunidade of Chinchinim. T: Artimizia Alemas.	200	15/9	O: Comunidade of Deussua.	100.00
311/14	O: Comunidade of Chinchinim. T: Afra Alemas.	250	15/16	O: Sabina L. P. Barreto.	400.00
311/15	O: Comunidade of Chinchinim. T: Anita Alemas.	125	15/14	O: Comunidade of Deussua.	50.00
311/22	O: Comunidade of Chinchinim. T: Teodilina Coutinho.	175	14/5	O: Sabina L. P. Barreto.	75.00
311/23	O: Comunidade of Chinchinim. T: Artimizia Alemas.	25	14/6	O: Timotio Barreto.	100.00
311/16	O: Comunidade of Chinchinim. T: Artimizia Alemas.	100	14/11	O: Herculano E. Lacerda.	150.00
321/98	O: Comunidade of Chinchinim. T: Not Known.	50	14/3	O: Maria F. D'Souza.	50.00
321/99	O: Comunidade of Chinchinim. T: Not Known.	150	3/33	O: 1. Jeromino Viegas. 2. Emidio Viegas.	50.00
321/100	O: Comunidade of Chinchinim. T: Not Known.	150	3/34	O: 1. Barry K. Dansia. 2. Wendy Densai. 3. Derick A. Porkar. 4. Catharino M. Irgam.	50.00 100.00
321/101	O: Comunidade of Chinchinim. T: Not Known.	125	4/1	O: 1. Sabina L. P. Baretto. 2. Reismagos A. F. F. Pereira. 3. Assumta P. P. S. Pereira. 4. Drexel Pereira.	175.00
321/82	O: Comunidade of Chinchinim. T: Salvador Alemas.	100	4/4	O: Comunidade of Deussua. T: Sanivni Mendes.	50.00
321/83	O: Comunidade of Chinchinim. T: Laura Lacerda.	100	4/9	O: Timotio B. A. F. Barreto.	100.00
321/84	O: Comunidade of Chinchinim. T: Salvador Akemas.	100	4/18	O: Albert Cotta.	225.00
321/85	O: Comunidade of Chinchinim. T: Laura Lacerda.	75	4/23	O: Comunidade of Deussua. T: Assorna S. Flaril.	250.00
321/65	O: Comunidade of Chinchinim. T: Menino Dias.	400	6/8	O: Comunidade of Deussua. T: Maria Luiza Lacerda.	100.00
321/64	O: Comunidade of Chinchinim. T: Jose Gracias.	300	5/27	O: Comunidade of Deussua. T: Maria E. Barretto.	1000
321/63	O: Comunidade of Chinchinim. T: Emina E. Gomes.	200	35	O: Comunidade of Deussua. T: Joaquim M. Dias.	700
321/62	O: Comunidade of Chinchinim. T: Agusta Mascarenhas.	100	34	O: Baptista Rebello. Ana C. A. Rebello. Alexandre Rebello.	700
321/104	O: Comunidade of Chinchinim. T: Logracina Lopes.	150	33	O: Smt. Dr. N. D'Souza Rebello. Augusta Rebello. Norma Rebello. Francisco D. S. Viegas. Mario C. Rebello.	1000
321/103	O: Comunidade of Chinchinim. T: Boamita Lopes.	50	32	O: Comunidade of Deussua. T: Remedina Pinto.	400
321/102	O: Comunidade of Chinchinim. T: Not Known.	225	21	O: Comunidade of Deussua. T: Joaquim M. Dias. Remediana Gomes.	300
301/4	O: Comunidade of Chinchinim. T: Camilo Pinto.	300	20	O: Comunidade of Deussua. T: Josepha Furtado.	300
			19	O: Comunidade of Deussua. T: Emeliano D'Mello.	100

1	2	3
6/2	O: Comunidade of Deussua. T: Pedro A. Pinto.	1200
3	O: Comunidade of Deussua. T: Joaquim M. D. Ferrao.	600
6	O: Comunidade of Deussua. T: Piedade Ferrao.	600
11	O: Comunidade of Deussua. T: 1. Philipina Vaz. 2. Maria S. Rebello. 3. Sucorina Gomes.	50
9	O: Comunidade of Deussua. T: 1. Philipina Vaz. 2. Sucorina Gomes.	250
5	O: Comunidade of Deussua. T: Maria S. Rebello.	200
8	O: Comunidade of Deussua. T: Philipina Vaz. Sucorina Gomes.	500
10	O: Comunidade of Deussua. T: Maria S. Rebello.	700
12	O: Comunidade of Deussua. T: Amilmir Barreto.	600
15	O: Comunidade of Deussua. T: Philipina Vaz.	600
20	O: Comunidade of Deussua. T: Josepha Furtado.	600
23	O: Comunidade of Deussua. T: Not Known.	600
27	O: Comunidade of Deussua. T: Emeliano Pereira.	800
30	O: Comunidade of Deussua. T: Not Known.	500
31	O: Comunidade of Deussua. T: Not Known.	900
31	O: Comunidade of Deussua.	1250
8	O: Comunidade of Deussua.	100
Total area.....		43,300

**Boundaries:****Chinchinim Boundaries:-**

North : Road.

South : Deussua Village.

East : 311/28, 29, 27, 25, 311/23, 22, 32, 33, 322, 101, 309/3 to 15 308/5 to 7, 307/2 to 6, S. No. 431/4, 432/2, 3, 432/11, 13, 10, 436/1, 2, 4, 6, 7, 8, 3.

West : 308/5 to 7, 307/1 to 6, 309/2 to 13, 311/40, 39, 22, 13, 25, 311/27, 28, 29, 321/28, 81, 65, 64, 63, 62, 61, S. No. 311/17, 310/6, 8, 10, 12, 305/1, 3, 4, 7, 304/17, 229/3.

**Deussua Boundaries:-**

North : Chinchinim Village Boundaries.

South : Road.

1	2	3
East	: 5/27, 30/34, 33/5, 32, 21, 20, 19, 6/2, 3, 6, 19, 11, 23, 27, 30 & 31, S. No. 3/33, 34, 4/2, 9, 28, & 6/8.	
West	: 5/27, 35, 34, 33, 5/32, 21, 20, 19, 6/2, 3, 6/5, 8, 10, 12, 15, 20, 23, 6/27, 30, 31 & S. No. 4/8, S. No. 15/1, 2, 4, 6, 7, 8, 15/9, 16, 14, 14/5, 14/6, 14/11 & 14/13.	

By order and in the name of the Governor of Goa.

*Sanjiv M. Gadkar*, Under Secretary (Revenue).

Panaji, 9th April, 2002.

**Notification**

No. 22/94/2001-RD

Whereas it appears to the Government of Goa (hereinafter referred to as "the Government") that the land specified in the Schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. L. A. for improvement of internal roads in V. P. Carmona at Carmona village of Salcete Taluka (Addl. area).

Now, therefore, the Government hereby notifies, under sub-section (1) of section 4 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as the "said Act") that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contract for the disposal of the said land by sale, lease, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed under paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under section 6 of the said Act will be published in the Official Gazette and in two daily newspapers and public notice thereof shall be given in due course. If the acquisition is abandoned wholly or in part, the fact will also be notified in the same manner.

4. The Government further appoints, under clause (c) of section 3 of the said Act, the Land Acquisition Officer/ P.W.D. (Cell), Altinho to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government also authorises under sub-section (2) of section 4 of the said Act, the following Officers to do the Acts, specified therein in respect of the said land.

1. The Collector (North), Panaji.
2. The Land Acquisition Officer, P.W.D. (Cell), Altinho.
3. The Executive Engineer, Division VI (Roads-South), P.W.D., Fatorda, Margao.
4. The Director of Settlement & Land Records, Panaji-Goa.

6. A rough plan of the said land is available for inspection in the Office of the Land Acquisition Officer, P.W.D. (Cell), Altinho for a period of 30 days from the date of publication of this notification in the Official Gazette.

#### SCHEDULE

(Description of the said land)

Taluka: Salcete		Village: Carmona
Survey No./ Sub Div. No.	Names of the persons believed to be interested	Approx. area in sq. mts.
1	2	3
85/15 part	Jose Martino D'Costa.	280
84/10 part	Baltazar D'Costa.	280
260/31 part	Not known.	150
268/6 part	Eusebio Francisco Hepolito. Coudencio D'Cunha.	180
268/7 part	Jose Marcelina D'Silva.	90
268/12 part	Claudina Dias Albert.	470
268/20 part	1) Vinona Dias Leal. 2) Maria Rita Dias.	280
268/9 part	1) Elsa Rosita Fernandes e Furtado. 2) Maurilio Furtado. 3) Anselmo Furtado. 4) Lucito Anthony Fernandes. 5) Gnoscie Gregorina Fernandes e Gonsalves.	330
268/24 part	Morgado Machado.	70
268/26 part	Society of St. Vincent Paul. Goa Particular Council South.	350
229/4 part	Beatriz Almeida.	270
Boundaries:		
North : 85/15.		
South : 84/10.		
East : Road.		
West : 84/2.		
		Total: 2750

By order and in the name of the Governor of Goa.

Sanjiv M. Gadkar, Under Secretary (Revenue).

Panaji, 15th April, 2002.

#### Notification

No. 22/53/2001-RD

Whereas it appears to the Government of Goa (hereinafter referred to as "the Government") that the land specified in the Schedule hereto (hereinafter referred to as the "said land") is needed for public purpose viz. Land Acquisition for expansion of Pilerne Industrial Estate (Phase-II) at Pilerne, in Bardez Taluka.

And whereas in the opinion of the Government the provisions of sub-section (1) of section 17 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as "the said Act") are applicable.

Now, therefore, the Government hereby notifies, under sub-section (1) of section 4 of the said Act, that the said land is needed for the purpose specified above.

The Government further directs under sub-section (4) of section 17 of the said Act that the provisions of section 5A of the said Act shall not apply in respect of the said land.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contract for the disposal of the said land by sale, lease, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed under paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under Section 6 of the said Act will be published in the Official Gazette and in two daily newspapers and public notice thereof shall be given in due course. If the acquisition is abandoned wholly or in part, the fact will also be notified in the same manner.

4. The Government further appoints, under clause (c) of section 3 of the said Act Special Land Acquisition Officer, Industrial Development Corporation, Panaji to perform the functions of a Collector, North Goa District, Panaji under the said Act in respect of the said land.

5. The Government also authorises under sub-section (2) of section 4 of the said Act, the following Officers to do the Acts, specified therein in respect of the said land.

1. The Collector, North Goa District, Panaji.
2. The Special Land Acquisition Officer, Industrial Development Corporation, Panaji.
3. The Chief General Manager, Goa-IDC, Panaji.
4. The Director of Settlement & Land Records, Panaji-Goa.

6. A rough plan of the said land is available for inspection in the Office of the Special Land Acquisition Officer, Industrial Development Corporation, Panaji for a period of 30 days from the date of publication of this notification in the Official Gazette.

## SCHEDULE

(Description of the said land)

Taluka: Bardez		Village: Pilerne
Survey No./ Sub Div. No.	Names of the persons believed to be interested	Approx. area in sq. mts.
1	2	3
88 part	O: Babaciano Braganza. O: Government of Goa (PWD). O: Yeshwant Bandodkar.	925.00
		Total: 925.00

By order and in the name of the Governor of Goa.

Sanjiv M. Gadkar, Under Secretary (Revenue).

Panaji, 16th April, 2002.

## Notification

No. 22/127/2000-RD

Whereas by Government Notification No. 22/127/2000-RD dated 22-3-2001 published on pages 9 & 10 of Series II, No. 1 of the Official Gazette, dated 5-4-2001 and in two newspapers (1) Herald dated 30-3-2001 and (2) Rashtramat dated 30-3-2001 it was notified under section 4 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as "the said Act") that the land, specified in the Schedule appended to the said Notification (hereinafter referred to as the said land) was needed for the public purpose viz. for Improvement and Black Topping of internal roads in Guirdolim Salcete (addl. area).

And whereas, the Government of Goa (hereinafter referred to as "the Government") being of the opinion that the acquisition of the said land is urgently necessary, hereby applies the provisions of sub-section (1) and sub-section (4) of section 17 of the said Act and directs that the Collector appointed under paragraph 2 below, shall, at any time, on the expiry of fifteen days from the date of the publication of the notice relating to the said land under sub-section (1) of section 9 of the said Act, take possession of the said land.

Now, therefore, the Government hereby declares, under the provisions of section 6 of the said Act that the said land is required for the public purpose specified above.

2. The Government also hereby appoints, under clause (c) of section 3 of the said Act, the Deputy Collector (L.A.), South, Margao to perform the functions of a Collector for all proceedings hereinafter to be taken in respect of the said land, and directs him under section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the Office of the Deputy Collector (L.A.), South, Margao till the award is made under section 11.

## SCHEDULE

(Description of the said land)

Taluka: Salcete		Village: Guirdolim
Survey No./ Sub-Div. No.	Names of the persons believed to be interested	Approx. area in sq. mts.
1	2	3
2/1 part	O: Bruno Pereira. Armano Braganza Pereira.	250
		Total: 250

## Boundaries:

North: Road.

South: Road.

East : Road and S. No. 2/1.

West : Road.

Total : 250

By order and in the name of the Governor of Goa.

Sanjiv M. Gadkar, Under Secretary (Revenue).

Panaji, 16th April, 2002.

## Notification

No. 22/12/2002-RD

Whereas it appears to the Government of Goa (hereinafter referred to as "the Government") that the land specified in the Schedule hereto (hereinafter referred to as the "said land") is likely to be needed for public purpose viz. for construction of Cemetery for St. Sebastian Chapel Aquem Alto, Margao.

Now, therefore, the Government hereby notifies, under sub-section (1) of section 4 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as the "said Act") that the said land is likely to be needed for the purpose specified above.

2. All persons interested in the said land are hereby warned not to obstruct or interfere with any surveyor or other persons employed upon the said land for the purpose of the said acquisition. Any contract for the disposal of the said land by sale, lease, mortgage, assignment, exchange or otherwise, or any outlay commenced or improvements made thereon without the sanction of the Collector appointed under paragraph 4 below, after the date of the publication of this Notification, will under clause (seventh) of section 24 of the said Act, be disregarded by him while assessing compensation for such parts of the said land as may be finally acquired.

3. If the Government is satisfied that the said land is needed for the aforesaid purpose, a declaration to that effect under section 6 of the said Act will be published in the Official Gazette and in two daily newspapers and public notice thereof shall be given in due course. If the acquisition is abandoned wholly or in part, the fact will also be notified in the same manner.

4. The Government further appoints, under clause (c) of section 3 of the said the Act, the Deputy Collector (L.A.), Collectorate, South Goa District, Margao to perform the functions of a Collector under the said Act in respect of the said land.

5. The Government also authorises under sub-section (2) of section 4 of the said Act, the following Officers to do the Acts, specified therein in respect of the said land.

1. The Collector, South Goa District, Margao.
2. The Deputy Collector (L.A.), Collectorate, South Goa District, Margao.
3. The Director of Settlement & Land Records, Panaji-Goa.

6. A rough plan of the said land is available for inspection in the Office of the Deputy Collector (L.A.), Collectorate, South Goa District, Margao for a period of 30 days from the date of publication of this notification in the Official Gazette.

#### SCHEDULE

(Description of the said land)

Taluka: Salcete

Village: Margao

Survey No./ Sub Div. No.	Names of the persons believed to be interested	Approx. area in sq. mts.
1	2	3
247/7	O: Caetano Barreto.	150
266/12	O: Rosendo Xavier Barreto.	4993
266/13 part	O: Rosendo Xavier Barreto.	2460
266/11 part	O: Rosendo Xavier Barreto.	660

#### Boundaries:

North : P. T. Sheet No. 245/61, 63.

South : P. T. Sheet No. 266/3.

East : Nala.

West : P. T. Sheet No. 245/2.

Total : 8263

By order and in the name of the Governor of Goa.

Sanjiv M. Gadkar, Under Secretary (Revenue).

Panaji, 17th April, 2002.

#### Notification

No. 22/60/2001-RD

Whereas by Government Notification No. 22/60/2001-RD dated 3-10-2001 published on pages 437 & 438 of Series II, No. 27 of the Official Gazette, dated 8-10-2001 and in two newspapers (1) Navhind Times dated 7-10-2001 (2) Pudhari dated 31-3-2002 it was notified under section 4 of the Land Acquisition Act, 1894 (Central Act 1 of 1894) (hereinafter referred to as "the said Act") that the land specified in the Schedule

appended to the said Notification was likely to be needed for the public purpose viz. for construction of road at Mae De Deus, Sangolda in Bardez Taluka.

And whereas, the Government of Goa (hereinafter referred to as "the Government") after considering the report made under sub-section (2) of section 5A of the said Act is satisfied that the land specified in the Schedule hereto is needed for the public purpose specified above (hereinafter referred to "the said land").

Now, therefore, the Government hereby declares, under section 6 of the said Act that the said land is required for the public purpose specified above.

2. The Government also appoints, under clause (c) of section 3 of the said Act, the Land Acquisition Officer, PWD (Cell), Altinho, Panaji to perform the functions of a Collector for all proceedings hereinafter to be taken in respect of the said land, and directs him under section 7 of the said Act to take order for the acquisition of the said land.

3. A plan of the said land can be inspected at the Office of the said Land Acquisition Officer, PWD (Cell), Altinho, Panaji till the award is made under section 11.

#### SCHEDULE

(Description of the said land)

Taluka: Bardez

Village: Sangolda

Survey No./ Sub-Div. No.	Names of the persons believed to be interested	Appx. area in sq. mts.
1	2	3
97/22 part	Charles Florence Pais.	150
97/23 part	Charles Florence Pais.	225
97/33 part	Albert Pereira.	40
97/34 part	Albert Pereira.	50
97/48 part	Prabhakar Shankar Morajkar.	90
97/51 part	Bonifacio D'Souza.	25
97/57 part	Ana Mira Francis Pinto.	25
97/60 part	Bernardo Mendonsa.	25
	Beatrice Mendonsa.	
	Jenulfo Casmiro Mendonsa.	
	Severino Carmo Mendonsa.	
	Diogo Mendonsa.	
	Monica Mendonsa.	
	Salvador Reginald Mendonsa.	
	Diana Mendonsa.	
	Querino Lourence Mendonsa.	
97/61 part	Comunidade of Sangolda.	20
96/2 part	Ana Paula D'Souza.	25
96/3 part	Yeshwant Putu Vernekar.	25

1	2	3
96/4 part	Suhas S. Naik. Diwan N. Rane. Atmaram D. Naik.	350
<i>Boundaries:</i>		
North : S. Nos. 97/22, 23, 33, 34, 48, 51, 57, 60, 61, 96/2, 3, 4.		
South : 97/23, 33, 34, 43, 49, 50, 57, 60, 61, 96/2, 3, 4, and road.		
East : S. Nos. 97/22, 23, 48, 96/10, 5.		
West : S. Nos. 96/4, 34, 22 & 18.		
		Total : 1050

By order and in the name of the Governor of Goa.

Sanjiv M. Gadkar, Under Secretary (Revenue).

Panaji, 17th April, 2002.

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### Department of Urban Development

#### Order

No. 3-2-UDD/MUN-ENG/2002

Government is pleased to promote purely on ad hoc basis the below mentioned Municipal Engineers of the

Grade of Junior Engineers to the posts of Municipal Engineers of the rank of Assistant Engineers in the pay scale of Rs. 6500-200-10500 with immediate effect and post them in the places indicated against their names:-

Sr. No.	Name of the Officers	Place of Posting
1.	Shri Vivek A. Parsekar	Mapusa Municipal Council.
2.	Shri S. D. Gaonkar	Curchorem Municipal Council.

2. The appointment of above Municipal Engineers is purely on ad hoc basis and will not bestow any claim for regular appointment and that the services rendered on ad hoc basis in the grade shall not count for the purpose of seniority in the grade and for eligibility for promotion to the next higher grade.

3. Consequent upon the promotions and posting of the above Municipal Engineers, S/Shri Shashikumar T, Assistant Engineer, Mapusa Municipal Council and Mohan Kamble, Assistant Engineer, Curchorem Municipal Council stands repatriated to their parent Department i. e. Water Resources Department with immediate effect.

4. Their relieving orders shall be issued by the respective Chief Officers.

By order and in the name of the Governor of Goa.

S. G. Korgaokar, Under Secretary (Rev. II).

Panaji, 15th April, 2002.